IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

OP.No. 32224 of 1999(J)

PETITIONER:

M/S. KERALA CO-OPERATIVE MILK MARKETING FEDERATION LTD., THIRUVANANTHAPURAM, REPRESENTED BY ITS MANAGING DIRECTOR.

BY ADV. SRI.B.S.KRISHNAN (SR.),
ADV. SRI.K.ANAND.

RESPONDENTS:
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1. **M/S. R.F. ENTERPRISES, ERAMALLOOR.P.O., CHERTHALA, ALAPPUZHA.**

2. **STATE REGISTERING AUTHORITY, KERALA, UNDER MILK AND MILK PRODUCTS ORDER (MMPO) DIRECTOR, DAIRY DEVELOPMENT, GOVT. OF KERALA.**

3. **CONTROLLER, MMPO, JOINT SECRETARY (DD), MINISTRY OF AGRICULTURE, GOVERNMENT OF INDIA.**

4. **SECOND APPELLATE AUTHORITY, UNDER MMPO, SECRETARY (AH & D), MINISTRY OF AGRICULTURE, GOVERNMENT OF INDIA, NEW DELHI.**

5. **STATE OF KERALA, REPRESENTED BY SECRETARY, MINISTRY OF AGRICULTURE, THIRUVANANTHAPURAM.**

O.P. NO. 32224/1999:

**6. UNION OF INDIA, REPRESENTED BY
MINISTRY OF AGRICULTURE,
DEPT. OF ANIMAL HUSBANDRY AND DAIRY,
KRISHI BHAVAN, NEW DELHI.**

**BY ADV. SRI.V.SANTHARAM,
ADV. SRI.P.GOPINATH,
ADV. SRI.B.N.SHIV SHANKAR, ADDL.CGSC.**

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 08/10/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NO. 54637/1999 IN O.P. NO. 32224/1999-J

DISMISSED

08/10/2007. **SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE.**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE CIRCULAR DT. 31/10/1998 ISSUED BY THE GOVT. OF KERALA.

EXT.P.2: COPY OF THE LETTER FROM DIRECTOR OF DAIRY DEVELOPMENT DT. 09/02/1999 TO R1.

EXT.P.3: COPY OF THE PROCEEDINGS OF THE CONTROLLER MILK AND MILK PRODUCTS ORDER DT. JULY, 1999.

EXT.P.4: COPY OF THE APPEAL & ORDER BEFORE THE SECRETARY DT. 10TH DEC. 1999 BY R.1.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

P.A. TO JUDGE.

prv.

THOTTATHIL B.RADHAKRISHNAN, J.

O.P.No.32224 OF 1999

Dated this the 8th day of October, 2007

JUDGMENT

A similar issue between the petitioner and the first respondent has been disposed of by this Court as per judgment dated 16.6.2006 in O.P.No.9212/06. Hence, without expressing anything on merits, this writ petition is disposed of making it clear that if the petitioner moves the Central Registering Authority within a period of two months from today, the matter will be duly considered and decided by that Authority, after affording opportunity of being heard to the petitioner and to the 1st respondent. The interim order passed on C.M.P. No.54637/99 will be in force till orders are so passed by the Central Registering Authority.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.

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THOTTATHIL B. RADHAKRISHNAN, J

O.P.NO.32224 OF 1999

JUDGMENT

8th OCTOBER, 2007.

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